

REMARKS**I. Status Of The Claims**

Claims 1-5 are pending in the present application. Claims 1-4 have been amended in the present Amendment and Response. No new matter has been added by these amendments.

**II. Objections To The Drawings**

The Examiner objected to the drawings because none of the drawings allegedly show the “occluding device” recited in claim 5. Applicants respectfully submit that mask 32 shown in Figure 6 is an example of an “occluding device” as recited in claim 5. In this regard, it is well known in the art that an occluding device may comprise a mask, shade or screen. As explained at pages 6 and 7 of the present specification, mask 32 delimits a transverse slot disposed in the vicinity of the optical axis which defines a cut-off edge in the light beam produced by the cruising headlight.

**III. Objections To The Specification**

The disclosure of the present application was objected to because the Examiner has asserted that the specification fails to provide proper antecedent basis for “an occluding device” as recited in claim 5. Applicants respectfully submit that mask 32 shown in Figure 6 and described in pages 6 and 7 of the present specification provides proper antecedent basis for the “occluding device” recited in claim 5.

**IV. Amendment To The Specification**

Applicants’ have noted that the proposed Amendments to the Specification in the May 1, 2006 Amendment and Response contains a typographical error. In those proposed Amendments to the Specification, applicants requested amendment of the reference to “Figure 4” at page 6, line 3 to read “Figure 6”. However, this reference to “Figure 4” in the original application should have been amended to read “Figure 5”. Accordingly, applicants

have presented herein a further proposed amendment to the specification to correct this typographical error and request that the original reference to “Figure 4” at application page 6, line 3 be changed to read “Figure 5”.

**V. Objections To The Claims**

Claims 1-4 were objected to for various informalities. Claims 1-4 have been amended to correct the informalities noted by the Examiner.

**VI. Rejections Under 35 U.S.C. §103(a):**

Claims 1-5 were rejected under 35 U.S.C. § 103(as) as being unpatentable over U.S. Publication No. 2002/0196634 to Jeannot (“Jeannot”) in view of U.S. Patent No. 6,623,147 to Hayami et al. (“Hayami”). Applicants respectfully traverse this rejection and submit that the Examiner’s proposed combination of Jeannot and Hayami in no way renders claims 1-5 unpatentable for the following reasons.

First, Applicants respectfully submit that the Examiner has misinterpreted the disclosure of Jeannot. Contrary to the Examiner’s assertion, Jeannot does not disclose a vehicle lighting system where auxiliary headlights 14, 16 “compensate” for the extinction of faulty passing headlights 18, 20 and produce a compensating light beam which conforms to the passing light beam above the horizontal longitudinal plane. In fact, Jeannot is not even directed to the problem of compensating for faulty passing headlights, let alone disclose, teach or suggest the use of an auxiliary headlight to compensate for a faulty passing headlight.

Instead, Jeannot discloses a vehicle lighting system for providing a passing light beam that is emitted in the direction of a bend in the road when the vehicle is negotiating the bend. Specifically, the vehicle lighting system disclosed in Jeannot comprises a control unit 34 which causes an auxiliary headlight (e.g., cruising headlights or main beam headlight 18, 20) to supplement or augment a normally functioning passing headlight. As

disclosed in Jeannot, the auxiliary headlight is adapted to emit a cut-off light beam having a lateral component projecting in the direction of the bend to supplement the light beam produced by the operating passing headlight. This feature of the auxiliary headlight is described throughout Jeannot. For example, the Abstract expressly provides:

The lighting apparatus which comprises the four headlights further includes a control unit which, when the vehicle is negotiating a bend in passing beam mode, causes at least one of the main beam lights to emit an additional bend beam for lighting into the bend. This bend beam increases the light intensity generally in the direction of the bend. (emphasis added).

This same feature of the Jeannot light system is repeated in the Discussion Of The Invention section:

[a]pparatus further includes a control unit for the headlights which, when the vehicle is negotiating a bend in dipped or passing beam mode, controls at least one of the cruising headlights in such a way that the beam emitted by the latter defines an additional beam for illuminating the bend, that is to say a bend beam which increases the emitted light intensity generally in the direction of the bend. ¶0011 (emphasis added).

The following passages in the Description Of Preferred Embodiments Of The Invention section of Jeannot also makes clear that the lighting system includes a main beam which enhances the passing beam in the direction of a bend.

In a manner known per se, when a regulation main or cruising beam Fr is produced, the passing headlights 14 and 16 and the cruising headlights 18 and 20 may be lit simultaneously so that the illuminating beam F2 produced by the passing headlights 14 and 16 enriches the main beam Fr produced by the cruising lights. ¶0011 (emphasis added).

\* \* \*

When the vehicle is travelling round a bend in passing beam mode, the control unit 34 controls at least one of the cruising headlights 18, 20 in such a way that its beam forms an additional beam to illuminate the bend, otherwise referred to as a bend beam Fv, which augments the light intensity emitted generally in the direction of the bend. ¶0011 (emphasis added).

Jeannot does not include any disclosure, teaching or suggestion of a vehicle lighting system having cruising headlights which function to compensate for the faulty passing lights. Rather, Jeannot discloses adapting the cruising headlights to emit a light beam in the direction of a bend negotiated by the vehicle to supplement the functioning passing light beam. Accordingly, Jeannot does not disclose: (1) a central unit which detects failure of the passing headlights; (2) a central unit which causes the a faulty passing headlight to be extinguished or (3) a cruising headlight which compensates for a faulty passing headlight after it has been extinguished.

Hayami discloses a vehicle lighting system having a left lamp 3L and a right lamp 3R, wherein each lamp includes a fixed lamp and a swivel lamp. The swivel lamp is adapted to rotate in the horizontal direction to emit light in the direction of a bend in the road being navigated by the vehicle to provide enhanced lighting for the driver. Hayami discloses that the swivel lamp may malfunction and become stuck in a position where it emits a dazzling light beam which impairs the vision of the drivers of cars in the oncoming traffic. To remedy this problem, Hayami discloses a device for detecting malfunctions of the swivel lamp and adjusting the optical axis of the lighted swivel lamp in the downward direction to prevent the light from dazzling the vision of the drivers of cars in the oncoming traffic.

Contrary to the Examiner's assertion, Hayami does not disclose any device which causes a faulty swivel lamp to be extinguished. Rather, Hayami exclusively discloses the use of a tilting bracket 17 to adjust the optical axis of the swivel lamp in the vertical downward direction upon detection of a malfunction of the swivel lamp.

Applicant respectfully submits that there is no motivation to combine Jeannot and Hayami because these references are directed to different problems. Jeannot is directed to a vehicle lighting system having a passing beam that properly illuminates a bend in the road being navigated by the vehicle. According to Jeannot, this alternative vehicle lighting

system overcomes the disadvantages associated with known prior art lighting systems having articulated passing lights or additional lights oriented in the direction of the bend. Jeannot addresses this problem by providing an auxiliary light which may be adapted to produce a cut-off beam which supplements the normally functioning passing beam to provide additional light in the direction of the bend navigated by the vehicle.

In contrast, Hayami is directed to a safety feature for a vehicle lighting system having an articulating passing light or swivel lamp which rotates in the direction of the bend to provide a light beam in the direction of the bend navigated by the vehicle. This is generally the same type of vehicle lighting system as the conventional lighting system disclosed in ¶0006 of Jeannot. Hayami discloses that this type of lighting system can create a hazard to drivers of oncoming cars if the articulated passing light become stuck in a position which dazzles the eyes of the drivers. Hayami discloses the use of a tilting device to adjust the optical axis of the malfunctioning articulated passing light vertically downwardly to prevent the light beam from impairing the vision of drivers of cars in oncoming traffic. Jeannot makes no mention of this problem. Accordingly, one of ordinary skill in the art would not be motivated to combine Jeannot and Hayami.

In addition, applicants respectfully submit that the Examiner's proposed combination of Jeannot and Hayami does not disclose, teach or suggest the lighting apparatus of claims 1-5. If one of ordinary skill in the art were somehow motivated to combine Jeannot and Hayami, the result would be a vehicle lighting system having (1) a passing light and a auxiliary light which may be modified to produce a supplemental passing light in a direction of a bend as disclosed in Jeannot and (2) a tilting device as disclosed in Hayami coupled to the auxiliary light to adjust the optical axis of the auxiliary light vertically downward in the event the auxiliary light malfunctions and emits a light beam that dazzles the vision of drivers of cars in oncoming traffic. Since Hayami is directed to the problems associated with a

malfunction of the light which projects a light beam in the direction of a bend being navigated by the vehicle, the tilting device would be coupled to the auxiliary light of Jeannot, not the passing light. Further, the proposed combination would not result in extinguishing the faulty passing light, but instead would result in adjusting the faulty auxiliary light vertically downwardly so as not to be directed into the eyes of drivers of oncoming cars. Finally, the auxiliary light would not produce a compensating light for the faulty passing light since the passing light is not extinguished. Accordingly, any possible combination of Jeannot and Hayami fails to disclose, teach or suggest a vehicle lighting system having (1) a central unit which detects a failure of a passing light, (2) a central unit which causes the faulty passing light to be extinguished and (3) an auxiliary light which compensates for the extinction of the faulty passing light by producing a compensating light beam which conforms to the passing light beam.

### **CONCLUSION**

Applicants respectfully submit that the pending claims are patentable over the cited prior art and are in condition for allowance. Early and favorable examination on the merits is respectfully requested.

In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned attorney at the number provided below.

### **AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. **1948-4836**.

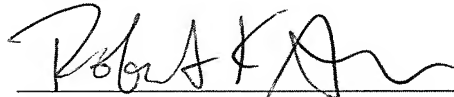
In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is

requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. **1948-4836**.

Respectfully submitted,  
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Dated: December 18, 2006

By: \_\_\_\_\_



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